

Remarks

Figure 2 was objected to because it was not identified as prior art. A marked up version of figure 2 which satisfies MPEP 608.02(g) accompanies this amendment. A notice to this effect is respectfully requested.

The specification is rejected under 37 CFR 1.175(d)(1) and claims 10, 11, 16 are rejected under 35 USC 112, second paragraph. Applicant has submitted new claims 21-41 to address these issues and believes each aforementioned rejection is addressed and cured. Applicant respectfully request the rejections be withdrawn. A notice to that effect is respectfully requested.

Claims 1-20 are rejected under 35 USC 102(b) as being anticipated by Chapin et al. No patent number for Chapin et al. was provided, therefore Applicant assumes the Office Action is referring to Chapin et al. (5,343,343), which was listed in the "Notice of References Cited Section" accompanying the Office Action.

The Office Action states that Figs. 2a, 2c, and 5d (found in Addendum A) anticipate claims 1-20. Chapin et al. does not contain figures 2a, 2c, and 5d. Applicant thoroughly searched the other references cited and did not find those figures. Therefore, no basis has been set forth to qualify figures 2a, 2b, and 5d as prior art under 35 USC 102(b). Although the Office Action does not set forth the reason why Chapin et al. is believed to anticipate claims 1-20 (now claims 21-41), Applicant traverses the rejection.

Chapin et al. discloses a slider which focuses on trailing edge reliefs 68 and 70 which are positioned proximate a trailing edge and which do not form part of the cavity 58 (See Fig 4.). Chapin et al. does not disclose a cavity (claimed as the area between the first and second rail) having a first and second level as recited in claims 21 and 33. Because Chapin et al. does not teach each and every limitation in claims 21 and 33, there can be no anticipation. A notice to that effect is respectfully requested.

Claims 22-32 and 34-41 depend from independent claims 21 and 33 and define further features and structure of the device. Accordingly, these claims are patentable for the reasons noted above with respect to claims 21 and 33 as well for the additional features recited therein. Therefore, notice to the effect that dependent claims 22-32 and 34-41 are in a condition for allowance is respectfully requested.

For similar reasons noted above regarding Chapin et al., the other 3 references listed in the Office Action (Dorius, Berg, Harada) do not anticipate claims 21-41.

CONCLUSION

The applicant respectfully submits that all of the pending claims are in condition for allowance in accordance with the requirements set forth in 37 CFR 1.111, and such action is earnestly solicited. The Examiner is invited to telephone the below signed attorney to discuss any questions which may remain with respect to the present application.

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CERTIFICATION UNDER 37 C.F.R. 1.8

Date of Deposit: June 24, 2003

I hereby certify that this Response and the documents referred to as attached therein are being transmitted via facsimile to the U.S. Patent and Trademark Office on the date shown above.

Jacqueline M. Stadt
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